UNITED STATES BANKRUPTCY COURT EASTERN DISTRIT OF NEW YORK

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In re:	Chapter 11
BRICKCHURCH ENTERPRISES, INC.,	: Case No. 22-70914-ass
Debtor.	: : :
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AFFIDAVIT OF NICHOLAS HUBBARD, MANAGING PARTNER OF NATHAN CAPITAL GROUP, IN SUPPORT OF (I) DEBTOR'S RESPONSE IN OPPOSITION TO JGB'S MOTION TO DISMISS PURSUANT TO 11 U.S.C. §§305(A) and 1112(B) OF THE BANKRUPTCY CODE, (II) DEBTOR'S RESPONSE IN OPPOSITION TO JGB'S MOTION FOR RELIEF FROM AUTOMATIC STAY PURSUANT TO SECTION 362(d) OF THE BANKRUPTCY CODE AND (III) DEBTOR'S CHAPTER 11 RELIEF

- 1. I, Nicholas Hubbard, am the managing partner of Nathan Capital Group ("Nathan Capital"). Nathan Capital is based in St. Louis, Missouri and specializes in bridge financing for commercial and residential real estate and has an extensive debt fund network that reaches New York, Los Angeles, Florida and the Midwest.
- 2. I submit this affidavit ("Affidavit") in support of Debtor Brickchurch Enterprises, Inc.'s opposition to JGB's Motion to Dismiss Pursuant to 11 U.S.C. §§305(a) and 1112(b) of the Bankruptcy Code [Dkt. No. 44], opposition to JGB's Motion for Relief from Automatic Stay Pursuant to Section 362(d) of the Bankruptcy Code [Dkt. No. 45] and other requested chapter 11 relief.
 - 3. This Affidavit may be supplemented as necessary and appropriate.

4. If called upon to testify, I could and would testify to the following:

Background and Qualifications of Nathan Capital

Company Background, Expertise and Capabilities

1. I have been in the loan brokerage industry for over 10 years. Further, founded by me in 2020, Nathan Capital offers loan brokerage services to companies seeking capital or refinancing. Nathan Capital connects borrowers and lenders for financing transactions. For its loan brokerage services, Nathan Capital charges a fee which typically ranges from .5 percentage point to 1 percentage point of the transaction amount.

Nathan Capital's Assistance with Refinancing for Brickchurch Enterprises, Inc.

- 2. On May 20, 2021, Ms. Louise Blouin's then assistant contacted me regarding Nathan Capital's services. Since that time, Nathan Capital has been working with Brickchurch Enterprises, Inc. ("*Brickchurch*") off and on to try to secure refinancing.
- 3. Recent developments are promising. Nathan Capital has worked diligently over the past few months to secure new financing for Brickchurch located at 366 Gin Lane, Southampton NY, 11968. Nathan Capital, on behalf of Brickchurch is seeking a loan amount up to 70% LTV based upon a recent appraised value (\$67.5MM).
- 4. Brickchurh's loan file is currently being reviewed by several interested lenders, including VIS Capital Venture in New York, and is awaiting a final approval at which time a term sheet will be presented. Granted that terms are acceptable, Brickchurch will have the opportunity to begin the loan funding process. Brickchurch and Nathan Capital have been working diligently to bring a new loan to fruition and we are doing everything in our power to make this happen.

5. I declare under penalty of perjury under the laws of the United States, that the foregoing statements are true and correct.

s/Nicholas Hubbard Nicholas Hubbard,
Nicholas Hubbard,
Managing Partner
Nathan Capital Group

STATE OF MISSOURI

I HEREBY CERTIFY that on or about this ^{22nd} day of August, 2022, before me, a Notary Public for the state aforesaid, personally appeared **Nicholas Hubbard**, known to me or satisfactorily proven to be the Person whose name is subscribed to the foregoing instrument, is duly authorized to execute, and has executed, such instrument on its behalf for the purposes therein set forth; and that the same is its act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal, the day and

year first above written.

Notary Public Electronic Notary Public

My commission expires on ______6

Notarized online using audio-video communication

Nickole Cromartie

Nickole Cromartie

REGISTRATION NUMBER
7998810
COMMISSION EXPIRES
November 30, 2026

Case 8-22-70914-ast Doc 73 Filed 08/22/22 Entered 08/22/22 12:51:09

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that, on August 22, 2022 a true and correct copy of the foregoing Affidavit of Nicholas Hubbard, Managing Partner, Nathan Capital Group, in Support of (I) Debtor's Response in Opposition to JGB's Motion to Dismiss Pursuant to 11 U.S.C. §§305(a) and 1112(b) of the Bankruptcy Code, (II) Debtor's Response in Opposition to JGB's Motion for Relief from Automatic Stay Pursuant to Section 362(d) of the Bankruptcy Code and (III) Debtor's Chapter 11 Relief was served electronically upon the counsel and parties of record through the Court's Electronic Case Filing System.

/s/ Camisha L. Simmons
Camisha L. Simmons